

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ABDERRAHIM EL ALAMI

Plaintiff / Petitioner

v.

MICHAEL MUKASEY, in his official capacity Attorney General of the United States; MICHAEL CHERTOFF, in his official capacity as Secretary of the Department of Homeland Security; RUTH DOROCHOFF, District Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security; ROBERT S. MUELLER, III, in his official capacity as Director of the Federal Bureau of Investigation,

Defendants / Respondents

CASE NO.:

HON.:

FILED  
March 18, 2008 TG  
08cv1572  
Judge MANNINIG  
Magistrate Judge MASON

**Complaint for Naturalization and Other Relief**

The plaintiff is a lawful permanent resident of the United States who applied to be naturalized as a United States citizen. His citizenship application has been pending since 2004 and he has satisfied all requirements for citizenship. He seeks immediate naturalization and other relief.

### **Jurisdiction and Venue**

1. This court has subject matter jurisdiction pursuant to at least the following statutory provisions: 28 U.S.C. § 1331 (because questions of federal law are presented); and 8 U.S.C. § 1447(b) (granting district court jurisdiction to review naturalization applications); and 28 U.S.C. §1361 (mandamus jurisdiction).
2. Pursuant to 29 U.S.C. § 1391, venue is proper in this district on either of the following grounds: (1) the plaintiff resides in this judicial district, the defendants are officers of the United States or agencies of the United States, and no real property is involved (28 U.S.C. § 1391(e)(3)); or (2) acts or omissions giving rise to the action these applications for naturalization were processed in part by the Chicago office of Immigration and Naturalization Services (now the Bureau of Citizenship and Immigration Services) (28 U.S.C. § 1391(e)(2)).
3. An actual controversy has arisen and now exists between the Plaintiff and Defendants.

### **The Parties**

#### **Plaintiff:**

4. Plaintiff ABDERRAHIM EL-ALAMI is a permanent resident of the United States who resides in Chicago, Illinois, which is located within this judicial district.

#### **Defendants:**

5. Defendant MICHAEL MUKASEY is being sued in his official capacity as the Attorney General of the United States. He is the sole person authorized by Congress to naturalize persons as citizens of the United States. 8 U.S.C. § 142(a).

6. Defendant MICHAEL CHERTOFF is being sued in his official capacity as the Secretary of the Department of Homeland Security (DHS). As of February 15, 2005, Mr. Chertoff has been responsible for the administration of the United States Citizenship and Immigration Service, which provides certain immigration related services including naturalization. 8 U.S.C. § 1103.

7. Defendant RUTH DOROCHOFF is the District Director of USCIS for the Chicago District. As such, she is charged with the duty of administration and enforcement of all the functions, powers, and duties of USCIS in the Chicago District.

8. Defendant ROBERT S. MUELLER, III, is the Director of the Federal Bureau of Investigation. As such he is charged with conducting background check of applicants for naturalization when requested to do so by the USCIS.

**Facts Common to All Counts**

9. Mr. El-Alami was born in Morocco and is a member of the Muslim faith. He is a person of good moral character.

10. Mr. El-Alami has been a lawful resident of the United States since May 9, 1998.

11. On May 24, 2004, Mr. El-Alami attended the citizenship interview. He was informed shortly thereafter that he passed the test of English and U.S. history and government.

12. At no time has Mr. El-Alami been informed of any deficiencies with his application for naturalization.

13. Mr. El-Alami has personally inquired many times regarding the status of the aforementioned application via mail and telephone. Congressman Rahm Emanuel has also made inquiries on Mr. El-Alami's behalf. (Exhibit A)

15. At least as of 2004, Mr. El-Alami satisfied all of the requirements for naturalization set forth in 8 U.S.C. § 1427.

16. Since Mr. El-Alami's citizenship examination in 2004, more than 3 years have passed.

17. The unreasonable delay in naturalizing Mr. El-Alami has caused him damage, including at least his disenfranchisement and other deprivation of other rights that flow from citizenship.

**Count I: Naturalization Order Pursuant to 8 U.S.C. § 1447(b)**

18. Mr. El-Alami reasserts and realleges paragraphs 1 to 15 as if set forth fully here.

19. Pursuant to 8 U.S.C. § 1447(b), Mr. El-Alami seeks a determination by this Court that he meets the requirements for naturalization and is to be naturalized as a U.S. citizen without further delay.

**Prayer for Relief**

Wherefore, plaintiff Abderrahim El-Alami seeks the following relief:

- A. An order setting an immediate date for naturalization of Mr. El-Alami;
- B. The actual naturalization of Mr. El-Alami by this Court;
- C. An award of damages in an amount to be determined;
- D. An award of costs, as provided by 28 U.S.C.S. § 2412(a)(1);

E. An award of reasonable attorneys fees, as provided by 28 U.S.C.S. § 2412(d)(1); and

F. Such other relief as the Court deems just.

Filed: March 14, 2008

---

Patricia Kemling, Esq.  
Council on American-Islamic  
Relations, Chicago Chapter  
(CAIR-Chicago)  
28 East Jackson Boulevard  
Suite 1410  
Chicago, Illinois 60604  
Ph: 312.212.1520  
Fax: 312.212.1530